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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,726	02/18/2004	Abhishek Chauhan	2006579-0553 (CTX-158)	3405
69665 7590 05/08/2009 CHOATE, HALL & STEWART / CITRIX SYSTEMS, INC. TWO INTERNATIONAL PLACE BOSTON, MA 02110				
EXAMINER LANIER, BENJAMINE				
ART UNIT		PAPER NUMBER		
2432				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/782,726

Applicant(s)

CHAUHAN ET AL.

Examiner

BENJAMIN E. LANIER

Art Unit

2432

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2009.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 19-41 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-17 and 19-41 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date 4/13/09
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed 13 April 2009 amends claims 1, 3, 9, 17, 25, and 32. Claim 41 has been added. Applicant's amendment has been fully considered and entered.

Response to Arguments

2. Applicant argues, "Instead of generating an exception rule to a rejection rule based on the same URL component used to reject the messages or URLs, Xie applies a first rejection rule and then generates one or more new rejection rules." In response, Examiner would like to point out that Applicant's arguments fail to consider the teachings of prior art references as applied to proposed modification of Xie. Examiner has never relied on Xie to teach the claimed URL components, and therefore Applicant's arguments are unpersuasive because they fail to address the actual rejection of the claims.

3. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 1-17, 19-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Xie, U.S. Patent No. 6,772,347, in view of Balasubramanian, U.S. Publication No. 2005/0086206, and further in view of Chelsea, U.S. Publication No. 2004/0250124. Referring to claims 1, 4, 6, 9, 10, 14, 17, 22, 25, 26, 29, 31-34, 38, 41, Xie discloses a computer network firewall wherein initially denied packets are additionally filtered dynamically (Col. 5, lines 45-50 & Figure 6). The packets are initially denied based on counter rules that increment the count until a threshold is exceeded (Col. 5, lines 10-15), which meets the limitation of receiving, by a gateway, a first message, rejecting, by the gateway, the first message based on a rejection rule. The dynamic filter, filters the initially denied packets using an additional set of rules, which are dynamically generated (Col. 5, lines 50-52), which meets the limitation of generating, by the gateway, an exception rule to the rejection rule. The initially rejected packets, and later packets, can be allowed based on the newly generated rules used by the dynamic filter (Col. 5, lines 63-66), which meets the limitation of applying the exception rule to determine whether to allow the selected component, receiving, by the gateway, a second message and allowing, by the gateway, the second message to pass responsive to the exception rule. Xie discloses filtering packets using rules based on port number and IP address (Col. 5, lines 58-60). The rules can be stored in a

memory (Col. 4, lines 5-8), which meets the limitation of a trie structure, wherein each node in the trie is associated with a component. Xie does not specify filtering based on URLs and URL descendants. Balasubramanian discloses a rule based filtering system where URL requests are filtered at the domain and IP address level, based on rules, to allow/deny traffic for all domains beginning with identified IP address information ([0033] & [0056] & [0065]-[0067]), which meets the limitation of the rejection rule rejecting message based on the messages comprising the first URL component, maintaining, by the gateway, a frequency for each instance of a URL component, wherein the frequency is a function of a number of occurrences with which a URL component and its descendants were rejected by a rule, selecting a URL component according to a set of constraints, and generating an exception rule for the first URL component and its descendants, the exception rule allowing to pass a message based on the message comprising the first URL component, the exception rule is generated by inferencing a scalar data type of the descendants of the first URL component, the first URL component a hierarchical component of a directory path portion of an URL. It would have been obvious to one of ordinary skill in the art at the time the invention was made to dynamically filter the packets of Xie using domain and IP address rules, as taught in Balasubramanian, in order to control access to specific areas in web space as taught by Balasubramanian (0016). Xie does not disclose dynamically generated rules when it is determined that packet denial is greater than a desired threshold amount. Chelsea discloses maintaining a frequency for the number of occurrences with which messages were rejected ([0017]). It would have been obvious to one of ordinary skill in the art to dynamically generate exceptions for the dynamic filter of Xie based on a desired amount of allowable packets in order to minimize the blocking of legitimate traffic as taught by Chelsea ([0017]).

Referring to claims 2, 3, 11, 12, 19, 20, 27, 28, 35, 36, Xie discloses that the packets are initially denied based on counter rules that increment the count until a threshold is exceeded (Col. 5, lines 10-15), which meets the limitation of constraints selected with a frequency exceeding a threshold and having no descendants with a number of occurrences above the threshold. Xie discloses filtering packets using rules based on port number and IP address (Col. 5, lines 58-60), but does not specify filtering based on URLs and URL descendants. Balasubramanian discloses a rule based filtering system where URL requests are filtered at the domain and IP address level, based on rules, to allow/deny traffic for all domains beginning with identified IP address information ([0056] & [0065]-[0067]), which meets the limitation of the function is an aggregate of a number of occurrences of the first URL component was rejected by a rule and the number of occurrences with which descendants of the first URL component were rejected by the rule, the set of constraints comprises the number of occurrences of the first URL component exceeding a threshold. It would have been obvious to one of ordinary skill in the art at the time the invention was made to dynamically filter the packets of Xie using domain and IP address rules, as taught in Balasubramanian, in order to control access to specific areas in web space as taught by Balasubramanian (0016)).

Referring to claims 5, 13, 21, 30, 37, Xie discloses that the packets are initially denied based on counter rules that increment the count until a threshold is exceeded (Col. 5, lines 10-15). The dynamic filter, filters the initially denied packets using an additional set of rules, which are dynamically generated (Col. 5, lines 50-52). Balasubramanian discloses a rule based filtering system where URL requests are filtered at the domain and IP address level, based on rules, to allow/deny traffic for all domains beginning with identified IP address information ([0056] &

[0065]-[0067]). Xie does not disclose dynamically generated rules when it is determined that packet denial is greater than a desired threshold amount. It would have been obvious to one of ordinary skill in the art to dynamically generate exceptions for the dynamic filter of Xie based on a desired amount of allowable packets in order to minimize the blocking of legitimate traffic as taught be Chelsa ([0017]).

Referring to claims 7, 8, 15, 16, 23, 24, 39, 40, Xie discloses that the packets are initially denied based on counter rules that increment the count until a threshold is exceeded (Col. 5, lines 10-15), which meets the limitation of the frequency is a weighted/direct count of occurrences of the component. Xie discloses filtering packets using rules based on port number and IP address (Col. 5, lines 58-60), but does not specify filtering based on URLs and URL descendants. Balasubramanian discloses a rule based filtering system where URL requests are filtered at the domain and IP address level, based on rules, to allow/deny traffic for all domains beginning with identified IP address information ([0056] & [0065]-[0067]), which meets the limitation of the function is an aggregate of a number of occurrences with which the first URL component was rejected by a rule and the number of occurrences with which descendants of the first URL component were rejected by the rule. It would have been obvious to one of ordinary skill in the art at the time the invention was made to dynamically filter the packets of Xie using domain and IP address rules, as taught in Balasubramanian, in order to control access to specific areas in web space as taught by Balasubramanian (0016)).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BENJAMIN E. LANIER whose telephone number is (571)272-3805. The examiner can normally be reached on M-Th 7:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Benjamin E Lanier/
Primary Examiner, Art Unit 2432